

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

LEDURIAL J WELLS, individually, )  
                                       )  
Plaintiff,                         ) No. 2:20-cv-01796  
                                       v.                                 )  
                                       )  
DAVID HECT and JOHN/JANE DOE HECT, ) AMENDED COMPLAINT FOR  
individually and in the marital community ) PERSONAL INJURIES IN  
comprised thereof; FEDERAL BUREAU OF ) TORT  
INVESTIGATION, et al; JOHN/JANE DOES )  
I-V,                                 )  
                                       )  
Defendants.                         )

COMES NOW the Plaintiff, above named, by and through attorney Joss Horslen of PHILLIPS LAW FIRM, and complains and alleges against the above-named Defendants as follows:

## I. PARTIES

1.1 Plaintiff JR (Ledurial) Wells is currently a resident of Everett, Snohomish County, Washington. Plaintiff JR (Ledurial) Wells resided in Everett, Snohomish County, Washington at all times relevant and material to this Complaint.

1       1.2     Defendants David Hecht and John/Jane Doe Hecht, on information and belief are  
2 residents of Seattle, King County, Washington and are believed to have resided in Seattle, King  
3 County, Washington at all times relevant and material to this Complaint.

4       1.3     Defendants David Hecht and John/Jane Doe Hecht are husband and wife and  
5 comprise a marital community believed to be residing in King County, Washington. All acts of  
6 these Defendants complained of herein were done both individually and for the benefit of the  
7 marital community.

8       1.4     Defendant Federal Bureau of Investigation, hereinafter referred to as "Defendant  
9 FBI", was/is the employer of Defendant David Hecht. Defendant David Hecht is to have been  
10 working at the time of the incident and was believed to be driving a vehicle owned by the  
11 Defendant FBI.

13       1.5     Defendants John/Jane Does I-V, on information and belief and at all material  
14 times, are additional drivers/individuals involved or whom Defendants may assert were  
15 involved or contributed in causing the motor vehicle collision giving rise to this lawsuit,  
16 including but not limited to any individuals to whom Defendants may attribute any comparative  
17 fault for the collision at issue or plaintiff's resulting injuries. This also includes any  
18 individuals/entities with an ownership interest in vehicles involved to any extent in the accident  
19 at issue, and/or any individuals currently unknown who may be discovered to have vicarious  
20 liability for any drivers or individuals potentially at fault for this collision. When the identity of  
21 any such individuals becomes known, Plaintiff will amend these pleadings to reflect their true  
22 identity.

1           **II. JURISDICTION, VENUE, AND PROCEDURAL REQUIREMENTS**

2       2.1     The motor vehicle collision that is the subject of this litigation occurred in  
3 Redmond/Kirkland, King County, Washington. Venue is proper pursuant to RCW 4.12.020(3).

4       2.2     This action was commenced within the time permitted by the applicable statute  
5 of limitations.

6       2.3     Any and all claim notices have been properly filed and served, and any  
7 applicable waiting period has expired since the date of filing and service of the complaint.

8       2.4     Defendant acknowledge that they have been properly served with the Summons  
9 and Complaint in this matter.

10      2.5     There is no person or entity unnamed in this lawsuit who caused or contributed  
11 to the damages alleged herein.

13           **III. FACTS**

14      3.1     Date: JR (Ledurial) Wells's injuries and damages arise out of an automobile  
15 collision that occurred on or about the 22<sup>nd</sup> day of January 2019.

16      3.2     Location: The collision occurred on 85<sup>th</sup> St in Kirkland, King County,  
17 Washington.

18      3.3     Details: On or about the 22<sup>nd</sup> day of January 2019, Plaintiff Ledurial J. Wells was  
19 traveling in their lane going approximately 30 mph. Defendant David Hecht pulled out in front  
20 of the Plaintiff. The Plaintiff immediately applied their breaks but due to the wet road  
21 conditions they were unable to stop in time. The Plaintiff collided the Defendant's vehicle.  
22

23           **IV. NEGLIGENCE**

24      4.1     Duty: Defendants, through common law, statute, regulation and/or ordinance  
25 owed Plaintiff a duty to drive attentively, keep a careful lookout, and to otherwise exercise

ordinary and reasonable care while operating a vehicle within the State of Washington. This duty included a duty to obey all relevant rules of the road pursuant to RCW 46.61 et seq.

**4.2 Breach:** Defendants breached their duties as set forth herein.

4.3     Proximate Cause: As a direct and proximate cause of Defendant's breach of duties as set forth herein, Plaintiff JR (Ledurial) Wells has suffered personal injuries and damages.

## V. DAMAGES

5.1 As a direct and proximate result of the negligence alleged herein, Plaintiff has suffered severe physical injuries and Plaintiff is entitled to fair and reasonable compensation.

5.2 As a direct result of the negligence alleged herein, Plaintiff has incurred and will continue to incur medical expenses and other out-of-pocket expenses and Plaintiff is entitled to fair and reasonable compensation.

5.3 As a direct and proximate result of the negligence alleged herein, Plaintiff has incurred property damage, and has, and may continue to, incur loss of use and diminished value of said property and Plaintiff is entitled to fair and reasonable compensation.

5.4 As a direct and proximate result of the negligence alleged herein, Plaintiff has suffered and will continue to suffer physical pain and suffering and Plaintiff is entitled to fair and reasonable compensation.

5.5 As a direct and proximate result of the negligence alleged herein, Plaintiff has suffered mental and emotional distress, loss of enjoyment of life, past and future disability, permanency of injury and Plaintiff is entitled to fair and reasonable compensation.

5.6 As a direct and proximate result of the negligence alleged herein, Plaintiff has sustained past wage loss and loss of future earning capacity.

1       5.7 Plaintiff is entitled to attorney fees.

2       5.8 Plaintiff is entitled to prejudgment interest of all medical and other out-of-pocket  
3 expenses directly and proximately caused by the negligence alleged in this complaint.

4       5.9 Plaintiff is entitled to costs and disbursements herein.

5                     **VI. WAIVER OF PHYSICIAN/PATIENT PRIVILEGE**

6       6.1 Plaintiff asserts the physician/patient privilege for 88 days following the filing of  
7 this complaint. On the 89<sup>th</sup> day following the filing of this complaint, the Plaintiff hereby  
8 waives the physician/patient privilege.  
9

10      6.2 The waiver is conditioned and limited as follows: (1) Plaintiff does not waive the  
11 Plaintiff's constitutional right of privacy; (2) Plaintiff does not authorize contact with the  
12 Plaintiff's health care providers of any kind except by judicial proceeding authorized by the  
13 Rules of Civil Procedure; (3) Representatives of the Defendants are specifically instructed not to  
14 attempt ex parte contacts with health care providers of Plaintiff; and (4) Representatives of the  
15 Defendants are specifically instructed not to write letters to Plaintiff's health care providers  
16 telling them that they may mail copies of records to the Defendants.

17                     Wherefore Plaintiff prays:

18                     **VII. RELIEF SOUGHT**

19       7.1 Special Damages for Plaintiff in such amounts as are proven at trial.

20       7.2 General Damages for Plaintiff in such amounts as are proven at trial.

21       7.3 Costs including attorney's fees for Plaintiff as are proven at trial.

22       7.4 Prejudgment Interest on all liquidated damages.

23       7.5 For such other and further relief as the court deems just, equitable and proper for  
24 Plaintiff at the time of trial.  
25

1 DATED THIS 9<sup>th</sup> day of December 2020.  
2  
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4 PHILLIPS LAW FIRM  
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7 Doug Weinmaster  
8 Douglas Weinmaster, WSBA # 28225  
9 Attorney for Plaintiff  
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